

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

CARLOS A. BAILEY PARKS,

Plaintiff,

-against-

NEW YORK STATE EXECUTIVE
DEPARTMENT, DIVISION OF PAROLE;
DAIZEE BOUEY, Commissioner;
ROBERT DENNISON, Chairman; and
JAMES FERGUSON, Commissioner,

Defendants.

JOHN GLEESON, United States District Judge:

Plaintiff Carlos A. Bailey Parks brought this pro se action pursuant to 42 U.S.C. § 1983. His request to proceed without the prepayment of fees was denied by this Court's June 4, 2007 order, pursuant to the Prison Litigation Reform Act of 1996, Pub. L. No. 104-134, 110 Stat. 1321, 28 U.S.C. § 1915(g). Plaintiff was instructed to pay the filing fee within 30 days, if he wished to proceed with this action. More than 30 days have elapsed and Plaintiff has failed to remit the filing fee to the Court. Accordingly, the Complaint is dismissed.

ORDERED, ADJUDGED AND DECREED: That the case is dismissed. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith and therefore *in forma pauperis* status is denied for purpose of an appeal. See Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

So ordered.

s/John Gleeson

JOHN GLEESON, U.S.D.J.

Dated: July 17, 2007
Brooklyn, New York